

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

---

EQUAL EMPLOYMENT OPPORTUNITY )  
 COMMISSION, )  
 )  
 Plaintiff, )  
 )  
 JOHN BALDWIN, LEONARD BELL, )  
 JOHANNES KAINDOH AND WAYNE )  
 HENDERSON, JOE L. WILLIS and )  
 GODWIN ENAGBARE )  
 )  
 Intervenor-Plaintiffs )  
 )  
 -against- )  
 )  
 )  
 WASHINGTON GROUP )  
 INTERNATIONAL, INC. )  
 )  
 Defendant. )

---

Civil Action No. 04-12097-GAO

**JOINT MOTION FOR EXTENSION OF TIME FOR DISCOVERY  
AND AMENDMENT OF THE PARTIES' PRE-TRIAL SCHEDULE**

The parties respectfully request an additional eight-month extension of time in which to complete discovery in the above captioned case, and request that the various deadlines in the parties' pre-trial schedule submitted in the parties' Joint Statement pursuant to Local Rule 16.1 be amended accordingly. This is the first request for extension of time for discovery made in this case by the parties. In support of this Motion, the parties state as follows:

1. Under the current scheduling order, discovery closes December 16, 2005; this Motion would extend the discovery cut-off to August 16, 2006. Other relevant dates in the Pre-Trial Schedule would be amended as follows: (1) Expert Discovery: Plaintiffs will designate all

trial experts and provide opposing counsel with reports from retained experts pursuant to Fed. R. Civ. P. 26(a)(2) by October 17, 2006. Defendants will designate all trial experts and provide opposing counsel with reports from retained experts pursuant to Fed. R. Civ. P. 26(a)(2) by November 17, 2006. Depositions of said experts shall be completed by January 17, 2007; (2) Dispositive Motions: Motions for Summary Judgment will be filed on or before February 9, 2007. Any opposition shall be due on or before March 9, 2007. Any Reply to Opposition shall be due on or before April 2, 2007.

2. The parties have been actively involved in the discovery phase of the case. Notwithstanding their efforts, the fact that Charging Parties, many of the potential claimants and other witnesses are out of state has complicated and lengthened discovery in this matter. Since filing, the following has been accomplished: (1) the parties have exchanged initial disclosures; (2) the parties have served initial sets of interrogatories and document requests and have made significant efforts to comply with these requests; (3) the parties are in the process of scheduling depositions of the named Charging Parties and defense witnesses; (4) the EEOC has made significant efforts at contacting potential class members and is currently in the process of analyzing the claims of potential claimants for purposes of identifying these individuals to Defendant.

The parties request the additional eight months for discovery to conduct depositions, complete written discovery, and to provide ample time for Rule 35 examinations contemplated by Defendant. The EEOC also requests this additional time to identify additional claimants in this matter and provide Defendant with the opportunity to conduct discovery on these individuals' claims.

3. This case is currently scheduled for a status conference before the Court on

January 11, 2006, and again on July 5, 2006. The parties are amenable to maintaining these status conferences should the Court wish to do so.

WHEREFORE, the parties request that this Joint Motion be granted.

Respectfully submitted on behalf of and with the authority of Defendant and Plaintiff Intervenor's counsel to this action,

---

**/s/ R. Liliana Palacios**  
Senior Trial Attorney  
MA BBO 640786  
Equal Employment Opportunity Commission  
Boston Area Office  
JFK Federal Building, Room 475  
Government Center  
Boston, MA 02203-0506  
Tel: (617) 565-3188  
Fax: (617) 565-3196

**CERTIFICATE OF SERVICE**

I, R. Liliana Palacios, hereby certify that on this 8<sup>th</sup> day of November, 2005, I caused a copy of the above document to be mailed, postage prepaid, to all the attorneys of record in the above captioned case:

---

**/s/ R. Liliana Palacios**  
Senior Trial Attorney